

**UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT**

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING  
56 Forsyth Street, N.W.  
Atlanta, Georgia 30303

David J. Smith  
Clerk of Court

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June 24, 2025

Clerk - Northern District of Alabama  
U.S. District Court  
Hugo L. Black United States Courthouse  
1729 5TH AVE N  
BIRMINGHAM, AL 35203

Appeal Number: 25-10177-HH  
Case Style: R. Cowan, et al v. Defendants' Counsel, et al  
District Court Docket No: 2:13-cv-20000-RDP  
Secondary Case Number: 2:12-cv-4180-RDP

The enclosed copy of the Clerk's Order of Dismissal for failure to prosecute in the above-referenced appeal is issued as the mandate of this court. *See* 11th Cir. R. 41-4. Pursuant to 11th Cir. R. 42-2(c) and 42-3(c), when an appellant fails to timely file or correct a brief or appendix, the appeal shall be treated as dismissed on the first business day following the due date. This appeal was treated as dismissed on 05/29/2025.

Eleventh Circuit Rules 42-2(e) and 42-3(e) govern motions to set aside dismissal and remedy the default. Such motions must be filed within 14 days of the date the clerk issues the Order of Dismissal. Except as otherwise provided by FRAP 25(a) for inmate filings, a motion to set aside dismissal and remedy the default is not timely unless the clerk receives the motion within the time fixed for filing. *See* FRAP 25(a)(2)(A)(i).

Any pending motions are now rendered moot in light of the attached order.

Clerk's Office Phone Numbers

General Information:	404-335-6100	Attorney Admissions:	404-335-6122
Case Administration:	404-335-6135	Capital Cases:	404-335-6200
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Enclosure(s)

DIS-2CIV Letter and Entry of Dismissal

IN THE UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT

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No. 25-10177-HH

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In Re: BLUE CROSS BLUE SHIELD  
ANTITRUST LITIGATION MDL 2406

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PLAINTIFFS' COUNSEL, et al.,

Plaintiffs,

R. CHRISTOPHER COWAN,  
JAMES MCDONOUGH,  
JUDY SHERIDAN,  
CONSTANCE DUMMER,  
TYLER J. BARNETT,  
BRETT WATTS,

Plaintiffs - Appellants,

versus

DEFENDANTS' COUNSEL,  
ANTHEM, INC.,  
EXCELLUS HEALTH PLAN, INC.,  
d.b.a. Excellus BlueCrossBlueShield,  
PREMERA BLUE CROSS,  
BLUE CROSS BLUE SHIELD OF ARIZONA, et al.,

Defendants - Appellees.

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Appeal from the United States District Court  
for the Northern District of Alabama

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ORDER: Pursuant to the 11th Cir. R. 42-2(c), this appeal is hereby DISMISSED for want of prosecution because the appellant Tyler J. Barnett, R. Christopher Cowan, Constance Dummer,

James McDonough, Judy Sheridan and Brett Watts has failed to file an appellant's brief within the time fixed by the rules, effective June 24, 2025.

DAVID J. SMITH  
Clerk of Court of the United States Court  
of Appeals for the Eleventh Circuit

FOR THE COURT - BY DIRECTION